



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON AUGUST 4, 2011

MINUTE NO. 7 – Dan River Public Water Supply

Alan Pollock with the Office of Water Quality Programs made the staff presentation. He provided the Board with the background of the April 2009 petition from the City of Roxboro, North Carolina to designate approximately 1.34 miles of the Dan River below Danville as a public water supply. This action would provide the city's proposed water intake a full 10 mile public water supply protection as required by North Carolina. In June 2010 the Board approved a Notice of Public Comment to amend the Virginia Water Quality Standards to include the requested public water supply designation.

The public comment period on the NOPC ended on April 15, 2011, and the agency received four comments, from the City of Danville Utilities Department, Pittsylvania County, Roanoke River Basin Association, and a resident of North Carolina. The comments were primarily directed at concerns over inter-basin transfer of water, future increases in water withdrawal, potential adverse impacts the water withdrawal would have on water supplies in the basin and the need for more stringent effluent limits for wastewater treatment facilities owned by the Cities of Danville and South Boston. Mr. Pollock explained that all of the concerns, except for the potential impact on the Danville wastewater treatment facility, were not germane to the public water supply designation. Interstate water supply issues in the region are being addressed through the Roanoke River Bi-State Commission. Staff had done an analysis of potential impacts on the Danville wastewater discharge permit and found that a public water supply designation approximately 0.5 mile downstream of the discharge point would not impact the Danville permit limits. Although not directly related to the designation issue, staff also evaluated the impact of the proposed water withdrawal on the South Boston wastewater discharge permit and found the only potential impact may be a reduction in the chlorine limits. However, staff believes any reduction in the chlorine limits would not alter the existing need for South Boston to keep chlorine levels below the quantification level to ensure compliance.

Mr. Pollock also informed the Board that DEQ had entered into a Memorandum of Agreement with the North Carolina Department of Environment and Natural Resources in June 2011. The

MOA acknowledges the mutual agreement to work together on reducing the downstream impacts to water supplies and encourage reciprocation of designations in the future when feasible.

After responding to several clarifying questions from the Board, Mr. Pollock presented the Board with a three-part recommendation. Based upon a suggestion by Board member [Wayland] the staff revised the wording of the third part to clarify its intent.

Board Decision

The Board approved the following recommendations by unanimous vote:

1. The Board adopt the following amendment to the Water Quality Standards regulation at section 3 of 9VAC25-260-450 to designate these waters as a Public Water Supply:

SECTION DESCRIPTION

Dan River and its tributaries from the Virginia-North Carolina state line just south of Danville to points 1.34 miles upstream and the first unnamed tributary to Hogans Creek from the Virginia-North Carolina state line to a point 0.45 mile upstream.

2. The Board direct staff to process this final action in accordance with the Administrative Process Act; however, staff is directed to delay (i) submittal of this amendment to U.S. EPA for approval and (ii) establishment of the effective date of the amendment until the Public Water Supply designation of the adjoining section of the Dan River in North Carolina is effective.
3. The Board direct the DEQ Director to withdraw this action, at any time prior to the effective date, if North Carolina fails to designate its portion of the Dan River as a Public Water Supply.



Melanie D. Davenport
Director, Water Division